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ABSTRACT

In theory Arizona Indian tribes can be represented by five major cultural groups: Athapascan, Pueblo, Yuman, Plateau Rancheria, and Desert Rancheria tribes. Each of these tribes has its own distinctive way of life or culture. They do not want to lose their cultural identity, nor do they want to become "like Anglos". They "do" want to pass on to posterity their heritage, their lands, their past and the ability to get along in both worlds--the Anglo world and the Indian world. Therefore, an educator must have some understanding of the lifestyle, religion, historical background, and the political, economic and social conditions of those living within the area served by his school. The educator should know that the economic and political emphases in the Southwest center about two major areas--water, land and mineral rights, and the sovereignty of the reservations. He should also know that the social conditions of Native Americans in the Southwest are strongly affected by stereotypes which have persisted since the pioneer days. This paper discusses the history of Arizona Indians, the current litigation between various tribes and various levels of government, political and economic conditions, the "integrity" of tribal officials, the Navajo-Hopi joint-use land dispute, the controversial Central Arizona Project, the water allocations disputes, the problems found in Indian education, the social conditions, and the current Indian educational conditions. (NQ)

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# NATIVE AMERICANS IN THE SOUTHWEST

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There is an old Indian belief which says a coyote once sat on the foam of the waters when the earth was flooded. The coyote, lonely and bored, asked a muskrat to dive to the bottom of the river and bring forth a piece of the earth. With the earth, the coyote created mountains and valleys. Later he created other animals and finally he created man himself.

White educators laughed at the logic of such a myth. How, for example, could a coyote sit on the foam of water and how could he create humans out of earth? They supplied their answer to the creation question. They claim there was once a being named God, who created men out of clay and had a son who could walk on waters.

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From the collected work, "The Current Status of Minorities in the Southwest" papers presented at The Society for Intercultural Education, Training, and Research, Chicago, Illinois, 24-27 February 1977.

Today, many Indians confess to the practices of Christianity. Others, determined to maintain their tribal practices, overtly denounce the practices of Christianity, using such slogans as, "When the whites came they only had the book and we had the land--now we have the book and they have the land."

But the religious question only illustrates the assimilation process of a traditional culture into one of modernization. What was once a shamanism is now moving toward an organized priestly system, with some denying the assimilation outright while others incorporate the religious backgrounds into their way of life.

But what about other aspects of Indian life? Is education also going through this assimilation process; and if so what impact does this have in cross-cultural communication in Arizona?

Before these questions are answered, perhaps a brief history of Arizona Indians should be mentioned here. In theory these tribes can be represented by four major cultural groups: Athapascan, Pueblo, Yuman, and Plateau Rancheria tribes.

The Athapascan tribes are basically a conglomeration of the Navajo and Apache tribes. The Navajo Reservation is the largest in the Nation with a population of about 110,000 and a territory which spreads nearly 24,000 square miles. Navajo legends tell that "The People", as they call themselves,

emerged from underground, then they spread southward and westward.

In 1868 Col. Kit Carson was ordered by the United States Government to round up and transfer the Navajos to Fort Sumner--an experiment which failed tremendously. Realizing their mistake, the Government established a 3.5 million acre reservation which today has grown to 15 million acres.

The Apaches probably came to Arizona by the 10th century. The name "Apache" itself means "energy". It was given to them by the Zuni tribe. With a history of great warriors the Apaches have had such famous leaders as Diablo, Cochise and Geronimo.

Today there are two Apache tribes. The San Carlos Apache is principally known for its cattle and timber-producing land, while the White Mountain Tribe is known for its tribally owned sawmill and the largest privately owned recreation area in Western United States.

## PUEBLO

Pueblo Indians are primarily made up of Hopis and small sub-groups. Hopi means "the peaceful people." They lived in high mesas for protection but farmed on the flatlands. Extremely religions in their own culture, the Hopis retain most of their tribal rites.

## DESERT RANCHERIA TRIBES

The Pimas ("River People") and Papagos ("Bean People")

are both considered farmers. The Pimas grow cotton but most income comes from land leased to non-Indians. Located near Phoenix, the land is growing in increasing value for urban development.

The Papagos who are still considered farmers are turning toward cattle as their main resource. But due to their location of desert and scarcity of jobs, the Papagos are the most poverty stricken people in the Southwest.

YUMAN

The Yumas, Maricopas, Mohaves, and Cocopahs make up the Yumans. Historically these tribes lived near the Colorado River which naturally made farming their occupation. Little religious customs are still practiced within these tribes. Most govern themselves from an elected tribal council and maintain law and order.

PLATEAU RANCHERIA TRIBES

Occupying Arizona's western desert, these Indians live a very simple life uninhibited by the coming of white man.

The Havasupais, which means "People of the blue-green waters", live about 3,000 feet below Grand Canyon's rim. The land itself is about eight miles long but only about one-quarter of a mile in width. The tribe is governed by modern organization with the representatives of four council members, but also retains traditional rule by the utilization of three hereditary chiefs.

The Hualapais tribe are ranchers. Some income is also derived from timber, but a lot of income is dependent on State and Federal funds.

The Yavapais live in a woodland area but it is sufficient only for homesites. Most family income comes from work found in nearby Prescott. The Yavapais own two small reservations: Camp Verde and Fort McDowell.

The Paitues used to gather roots for their source of food, hence the name Paitue (Digger Tribe). The other tribes' main sources of income are cattle and timber.

In 1792 the well-known Seneca Chief, Cornplanter, visited President George Washington and asked for government assistance in education. Two years later a federal directive was issued to help Indians assimilate into "mainstream" culture. In 1819 a fund was established by Congress to appropriate monies annually for Indian educational services. Not until 1840 was the first Indian boarding school established.

But until recently boarding schools have come under fire from every Indian organization dealing in education. Through the process of assimilation the Indian culture was becoming liquidated. The Indian culture as a whole was being trapped in a never-ending cycle. James Vander Zanden, in his book America's Minority Relations, wrote there was a period of forced assimilation to government policies. "In 1929," Vander Zanden said, "a new policy in Indian affairs was inaugurated. It reversed policy and encouraged the Indians

to retain their tribal identification and culture."

Vander Zanden said, "In the 1950's the policy was once again reversed, and the official aim of the government became one of accelerating the liquidation of governmental responsibility to the Indians as speedily as possible." The program was slowed during the Kennedy-Johnson administration and reversed again by the Nixon administration. We can see then that the federal government has oscillated between a separatist and an assimilationist in extremes.

Throughout this history of Indian fluctuation, the educational scene was perhaps the saddest. It was the policy of boarding schools to eliminate the use of Indian language and supplement it with English. In the Southwest not only was language severely restricted, but an employee who spoke English with an accent was severely limited. It was a general attitude at the school that anyone with an accent was inferior in some way and should not be allowed to influence the students.

It appeared that policies on how Navajos should have been educated were made by non-Navajos without regard to the Navajo voice in the matters.

This probably is the cause for the enormous dropout rate during that time. The rate ran as high as 42 percent, but isolating this rate to specific areas, it at times extends as high as 80 percent.

In the same fashion that education policies were dominated by non-Navajos, so was the religion. Many students who came

to schools were members of the NAC (Native American Church) which they practiced on the reservation with their families. Nevertheless, NAC services were strictly forbidden at school.

Since those times Department of Interior policies have changed. Selene Gifford, once Assistant Commissioner of Indian Affairs, wrote:

"Today's methods of teaching English are the reverse of earlier methods. The earliest methods were based on the premise, since proved erroneous, that the speediest way to teach Indian children to speak English was to remove them from everything that was Indian. The intent was to have them forget their Indian tongue through disuse. Older Indians, educated during this earlier regime, can still recall times they were punished for speaking their Indian language.

"This method retarded the children's language development by blocking communication in their native language, which they knew, before they could communicate in English, a language which they did not know. As a result the children not only lacked the ability to handle English but also lacked the ability to handle their native language that was commensurate with their age maturity."

But in 1969 Senator Edward Kennedy, in a Senate subcommittee on Indian education said the education Indian children were receiving was, "a national tragedy and a national disgrace." Senator Kennedy made the remarks despite the supposed "upgrade" of boarding schools. The Kennedy

Report stressed the point that the same problems existed and were reported in the 1928 Meriam Report, yet virtually no action was taken on the report's recommendations.

But the problems aren't limited to only reservation schools. The problem extends throughout the nation. Jeannette Henry describes the situation. "What would you say to a fourth grade book, utilized on a one-to-one basis in the classroom, which states the 'Indian was degraded, filthy, refused either to wash or work and lived on the lowest stage of man's development'? What would you think of a textbook which referred to the Native people of this land as 'primitive beings who barely could be called human'? How would you like it, if you were a Native American, to have forty children in a classroom, and this classroom multiplied in the tens of thousands, all of them learning that the Native American was a savage. without culture or technology. The problem occurs throughout the nation."

Communicating with the Indian child today (in terms of education) is two-fold. On the one hand, educators must remember the traditional way of life represented by the culture of Indians; on the other, there is the modern mainstream values and techniques. Education has been said to be the vehicle that may be used by the Indian to acquire the white man's way of life. In order for educators to reach the Indian child and to instill within that child a desire to learn, it is necessary for that educator to have a basic

understanding of the culture of the Indian.

It must be understood that Arizona tribes are about as diverse as their geographic lifestyle. Each tribe has its own distinctive way of life or culture. The educator faced with the prospect of learning about four or five tribes may see the problem as a hopeless task. Providentially, several factors combine to make the educator's task far from hopeless. Chances are there is only one, or at the most, three tribes involved. An educator teaching in the public schools of Casa Grande, Arizona, would probably have Pima and/or Papago Indian children in the classroom. In other words, the location of the school will definitely limit the number of tribes that might be represented at that school.

Today, teachers should realize that home conditions also influence the achievement of Indian students. It should be remembered many Indian families have little understanding of the importance of education. They see only that education is slowly, but surely, divorcing the child from his parents and the home. Therefore, the Indian child frequently obtains no positive encouragement from his parents. Leave examples of the child's work at home and allow the two-star flow process to take effect. Allow ample time for questions from the parents. After such a visit allow time for the word to get around. Then begin again with a different home.

In our communications it is also necessary to consider the family life. In our society the father is frequently

the disciplinarian for the family--at least in more extreme cases. Contrast this with a matrilineal society where the mother frequently is the family head and the mother's eldest brother often assumes many of the functions we usually associate with a father in our society. The mother's oldest brother often controls the finances, speaks for the family and is the disciplinarian. In such a matrilineal society, the biological father is left the pleasant role of playmate, counselor, and friend to his children.

In terms of politics, the Western World has developed the concept that in any given society there will be leaders and there will be followers: deomcracy, rule by the majority, representative government are among those elements considered vital to our political philosophy. Even today many non-Indians fail to understand the unique political system the various tribes enjoy. It is important to note that among many Southwestern Indians democracy is not the rule of the majority, but rather the rule of consensus.

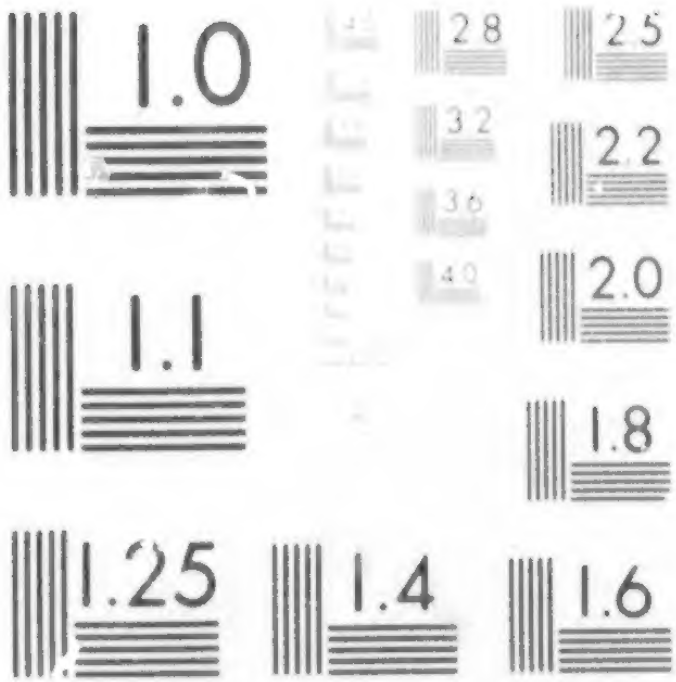
The educator must have some understanding of the role of the native Indian religion in the lives of those living within the area served by his school. He must become familiar with basic elements of their religion. On the Hopi reservation, in northern Arizona, school personnel have an unwritten agreement that Hopi children may be excused from school to participate in the necessary tribal rituals and ceremonies. In return tribal leaders and parents insure the

attendance of their children at all other times. An Apache girl who reaches puberty and who is fortunate enough to have a Puberty Ceremony, has acquired stature and standing in the eyes of her tribe. The teacher or the principal who would refuse to excuse such a girl from school for the ceremony would arouse community bitterness and ill will.

We must constantly remember that one's thoughts are limited by one's language. Even the process of translation may prove unsatisfactory. It is necessary to have some knowledge of the type of language spoken by the Indians in that locality or school. What are some of the basic emphases of the language and what is the world view of the people?

Political and Economic conditions

While political issues and economic issues for most minority groups can frequently be separated, one area usually affects the other. But with current conditions which affect Native Americans, it is virtually impossible to separate political actions--especially those political actions made by non-Indians to affect Indians--from economic reasons for such actions and economic effects of the implementation of essentially political decisions. While a major portion of this paper deals with current litigation between various tribes and various levels of government, it is important to note that several groups of people are beginning to work together for common concerns. Most Native American groups are engaging in constructive co-operation with other groups; this is most obvious in the Southwest today.




MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS 1963-A

Members of the Papago tribe, who live on the Papago reservation in south-central Arizona, are working with U.S. Customs officials and succeeding where the Custom's service people were not: speaking in their language over radio units, these Papagos survey the landscape surrounding the abandoned town of Itak to identify drug traffic between Itak and the Mexican border, two miles away. To date they have assisted in 63 drug-related arrests in which 37,000 pounds of marijuana, 48 vehicles and 16 horses have been involved; 45 people have been arrested.[1] This is just one incident in which Native Americans have contributed to society-at-large by using special skills which few non-Papagos would have.

The Navajo have been working for many years, attempting to develop ways of converting local commodities into money-making investments. The Navajo employment rate is low; while employment opportunities on the reservation have improved in recent years, most Navajos remain unemployed. Peter MacDonald, Tribal Chairman, reports that in 1969, one of eleven Navajos was working; today, "one out of seven is working." Today the unemployment rate on the Navajo reservation is three times the national average. A study conducted 25 years ago by the Bureau of Indian Affairs concluded that if all the Navajos raised livestock (a traditional activity), the land on which they live could not support them:

> Unless the industrial and economic-base of the reservation is substantially increased, there will not be enough economic activity to tax to take care of the ever-increasing needs of our people. . . . To suggest that we could economically barricade the reservation borders against further development and just continue to increasingly tax the present industries is to be blind to the fact that we would just drive all economic activity from the reservation.[2]

Several groups on the reservation presented the moratorium on

ANY further mining or mineral leasing, with the tribe relying on taxing current mineral mining for its revenues.

Although tribal enterprises have created many new jobs on the "job-starved" Navajo Reservation, tribal officials had to appropriate $3.5 million to keep the Navajo Housing and Development Enterprise from declaring bankruptcy. Next year the council may have to find additional large sums of money (several million dollars) to pay further debts of the NHDE and other tribal enterprises, such as the Navajo Arts and Crafts Enterprise and the Navajo Aviation Authority. Two years ago tribal authorities invested $13 million in federal housing funds in a now-defunct Beverly Hills investment firm; thus far, about $9 million has been recovered, but the rest probably is lost. If the Navajo Housing and Development Authority can't recover the rest of the money, the tribe may have to reimburse the Federal government or disband the NHDA.[3]

While the Navajos are aware of the employment problems on the reservation, solutions are not as easy to discover. One attempt is to have a Los Angeles management consultant firm determine how to spend tribal money more efficiently; included in this program is training of eight Navajos to examine other tribal departments for efficiency. Plans to tax businesses and industries located on the reservation, including power lines, pipelines, coal deposits and railroads are currently under consideration by the Navajo Tax Commission. Susan M. Williams, Executive Director of the Navajo Tax Commission, explains:

> (1) The Navajo Tax Commission is aware of the importance for all Indian tribes to establish and maintain a government which is both financially and fiscally responsible. Thus, the Navajo tax program will not seek to drive business from the reservation. Rather, it will be fair and just, taxing only those who can pay. It will provide certain investment incentives to promote desirable business activity.

Anyone who believes that a Navajo tax would jeopardize reservation businesses must confront the reality of unfavorable business contracts, inadequately informed Bureau of Indian Affairs lease negotiators, pittance compensation for precious Navajo water rights, virtually autonomous energy and extractive activities controlled by and for off reservation interests, pollution from reservation based operations unsurpassed anywhere in the country--the list is much longer. These activities have jeopardized the very means for Navajo economic self-sufficiency and existence as a people.

(2) Indian tribes possess a unique status wrought by federal law and Congressional statute. That Indian tribes can pursue a policy of Indian or tribal preference is sanctioned by the Indian "Self-Determination Act" of 1968. . . . One of the powers which was not taken from tribes is the right to tax reservation-based activities to maintain governmental services and programs. This is the base for the Navajo tax program.

(3) Any claim that the Navajo government and people could not benefit from tax revenues is totally fallacious. . . For every economic indicator--employment, housing with plumbing, infant mortality, disease, incomes, education, etc. the Navajo fall far behind national standards.

(4) The Navajo tax revenues will enable the tribe to begin efforts to create jobs where welfare was the easiest solution, to rectify the grave discrepancies between the taxes levied by the state on reservation based operations and the actual benefits received from the state by the Navajo people, and to encourage realistic and optimal economic development on the reservation.

This effort is long overdue for the Navajo and other Indian tribes across the country.[4]

While several critics attack Native Americans for collecting monies from governmental agencies (to feed and clothe themselves), the Navajo are actively seeking means of dealing with their political-economic situation. Mineral and land rights income is not sufficient to replace federal programs which have been used to furnish necessary aid to Native Americans--at least, not yet.[5] One of the more obvious responses to proposals to tax non-reservation interests for profit-making activities conducted on reservations, is a proposed "simple constitutional amendment" advocated by the Arizona Republic (largest newspaper in the state) which would provide that "no governmental entity, except the United States federal government, shall levy or collect any kind of tax upon the citizens of Arizona without consent of the Arizona legislature." In addition, the amendment would forbid

any citizen from paying such a tax unless the meaure was approved by the Arizona legislature. House speaker-designate Frank Kelley (R-Phoerix), sponsor of the bill, said it is aimed at challenging current claims of certain Indian tribes who have claimed Indian sovereignty; the challenge is whether Indians can levy taxes on business and industry located on or running across reservation land. Kelley summarized his position, "Let's find out if the Indians are indeed a sovereign nation, with the power to tax. If they are a sovereign nation, then they no longer need any of our tax money."[6]

While the ability or inability of reservation officials to levy taxes is a major issue, another part of the sovereignty controversy affects the rights of legal services. Where do city, county, state legal agencies' authority end? The question has been raised many times, usually on relatively tribial matters. Local law agencies in Arizona are seeking "exception rulings," following the premises that: (1) the Presidential Executive order which created the guarantee of sovereignty of Indian reservations implies that if nations are as sovereign as Indian reservations, the same restrictions should apply to "hot pursuit" of a suspect onto a reservation as into a foreign country; (2) the case of Francisco v. State, which rules that a Pima County sheriff's deputy could not (as he did) serve a superior court summons in a paternity suit to an Indian living on the Papago reservation. Deputy County Attorney Ronald Reinstein said the state "will not allow the Indian reservation to be a sanctuary for criminals involved in a 'hot pursuit,'" and announced he is drawing a "hot pursuit exception" to the ruling of September 28th--a ruling which declared that the state of Arizona "has no authority to extend the application of its laws to an Indian

reservation."[7]

Economic conditions for Indians generally are not good; in many ways, Native Americans are more economically disadvantaged than any other ethnic group. A key lawsuit was filed January 27, 1977, which could have far-reaching implications:

> the Indians throughout the nation are being deprived of $9.5 million that Congress has set aside for federal job-training programs. Indian tribes and organizations are entitled to $60 million in job training funds for 1977, but the Dept. of Labor has announced they will receive only $50.5 million, contends the suit filed by the Arizona Indian Center, Inc., the Indian Development District of Arizona, the Inter-Tribal Council of Arizona and the San Carlos Apache Indian Tribe. Defendants are Secretary of Labor F. Ray Marshall, former Secty. of Labor William J. Ussery and other federal officials charged with administering job-training programs under the Comprehensive Employment Act (CETA). Assistant U.S. Attorney James Loss said the suit is similar to one filed in federal court in Washington. According to the suit, Indian tribes or organizations qualifying for federal job-training assistance are entitled under CETA to 4% of that $1.5 billion, or $60,088,756, but the Dept. of Labor has announced they will receive $50,560,000, or $9,528,756 less than the amount they are entitled to under the law, the suit said. The suit asked for an order allowing the Indian tribes and organizations the extra $9.5 million. The case was assigned to U.S. District Court Judge Walter E. Craig.[8]

While Native Americans are trying to find, make and train for jobs, escape from poverty, live and eat without food stamps and maintain respectable housing, the Bureau of Indian Affairs seems to be generally ineffective. Relations between Indians and the BIA remain about the same. The BIA and Indian Health Service officials are hoping for approval of Congress on its incentive retirement program. The bill, which was vetoed by President Ford last year, will be reintroduced in a modified version this year. According to a BIA spokesman, the bill was to compensate those persons in the BIA and IHS who were adversely affected by their agencies' Indian preference policies. Indian preference, which has been upheld in court, provides that any qualified Indian who applies for a position in either of the

two agencies will be employed, even though a non-Indian with better qualifications has applied for the position. Since Indian preference became the rule several years ago, non-Indians working for BIA and IHS generally have remained in the same positions with almost every vacancy being filled by an Indian. The Senate version of the bill provides for an incentive program, allowing for early retirement of BIA and IHS personnel whose careers have been adversely affected by Indian preference. The plan would provide an additional 14% in retirement; the total program would cost an estimated $8.2 million. BIA officials estimate that 1,600 employees would benefit from the bill over the next 9 years; on the Navajo reservation alone, 529 persons would be eligible for these benefits. In the meantime,

> High level BIA and IHS officials have been able to get around this rule somewhat by appointing non-Indians as temporary acting directors of various departments. This is one of the reasons, according to a BIA spokesman, that there are so many agencies in the Navajo area being run by acting personnel. To combat the problem, BIA and IHS personnel went to Congress to ask for relief.[9]

In light of such activities by non-Indians, it is not surprising that Indians are moving more heavily into political activities for self-protection. In addition to the direct effects of bloc voting, Native Americans might "tip the scales of an election" during close contests for governors, congressmen and local government officials. Turnouts for tribal elections frequently surpass 80%, impressive rates for any candidate. And while Native American voting records in non-reservation elections are not as high, the Navajo "are working on that, too."[10]

In the quest for self-determination, significant problems have occurred. A major question has been the integrity of tribal officials; the most notorious series of charges and counter-charges in the Southwest--or at least the series which

has been most publicized--is that involving Peter MacDonald and the Navajos. MacDonald has been testifying about financial irregularities on the Navajo reservation;[11] he and William Moore of Gallup, New Mexico, have been indicted on six counts of mail fraud. MacDonald was also indicted with two counts of obtaining money under false pretenses and filing a fraudulent income-tax return for 1973. MacDonald and Moore are charged with devising a scheme to defraud Tucson Gas & Electric Co. by submitting false travel vouchers for a series of charter flights made in the fall of 1973. MacDonald and other Navajo tribal officials made the trips to help overcome opposition to a power transmission line being built by Tucson Gas & Electric Co. across a 78-mile area of land on the reservation in northwest New Mexico. The indictment is the result of a year-long probe by the U.S. Attorney's Office and the FBI into alleged financial irregularities on the Navajo reservation. MacDonald countered that the charges are not true and his people will support him; if the charges were true, MacDonald argued, he would be asked to resign as tribal chairman. The IRS charge is that he declared a gross income of $30,878, and the correct gross amount was at least $37,529.[12]

Pat Chee Miller, former executive director of the Navajo Housing Authority, had an 8-count indictment returned by the grand jury, charging he received kickbacks of $42,000 for improperly loaning $13.3 million in tribal funds to American Funding Corp. of Beverly Hills. This trial is scheduled to go before U.S. District Judge Carl A. Muecke on March 16th. Raymond Tso, chief tribal prosecutor for the Navajo tribe, said 15 tribal officials' expense accounts were being studied in connection with the case. Once enough evidence is gathered, the case will be tried in tribal

courts, according to Teo.[13]

It appears the Navajos believe MacDonald is innocent; in the tribal constitution provides that if a representative is charged with misconduct he is triew and removed from his position, and in addition may be fined and jailed. No such action has been taken against MacDonald. The latest news on the case is that John Harvey Adamson, confessed conspirator in the murder of Phoenix newspaperman Don Bolles, testified on February 15, 1977 that he discussed planting a bomb in the office of Peter MacDonald. In this same conversation with Neal Roberts and Joe Patrick (implicated in the Bolles case), Adamson said Roberts identified Patrick as serving on the Navajo Reservation as a spy for Senator Barry Goldwater. MacDonald expressed no surprise or doubt that "this was coming out of Goldwater's office." Goldwater and MacDonald have been politically opposed since Goldwater began supporting the Hopis in the Navajo-Hopi land dispute. Goldwater says he'd like to see MacDonald out of office because he feels "the Navajos are tired of MacDonald's maneuverings."[14]

According to most "informed sources," the Navajo-Hopi joint-use land dispute is one which won't be settled for some time. The Hopi Reservation is located within the boundaries of the Navajo reservation in the northeastern corner of Arizona. Within the boundaries of an area used by both tribes for grazing, settlement and ranching, both tribes have filed for division of the land. Within the area the Navajo have tried to purchase 250,000 acres of land from the Bureau of Land Management; the plan was to move Navajos from the Hopi portion of the 1.8 million acres of joint use territory. But several ranchers, who have settled on this land, fought the idea. A. D. Findlay, representing

the ranchers living in the House Rock Valley and Paria Plateau country (the area under the proposal) said they would not move. They want to fight the sale, and vowed to carry the fight "to the last court in the land." Findlay raised a critical question: "Where are they going to relocate us?" A final decision must await an environmental-impact statement. Mary Howard, spokeswoman for the Navajo-Hopi Unity Committee, said that they "don't believe in moving" the group; resolutions urging Congress to deny the tribe's application for public funds to assist in the purchase of the land have been filed by the Arizona Wildlife Committee, National Wildlife Federation, the Governor's Commission on Arizona Environment, the Arizona Game and Fish Department, the Wildlife Management Institute and the Navajo-Hopi Unity Committee. The proposed relocation land is "inadequate to solve relocation problems, will not sustain uncontrolled grazing, is in public domain, and on county tax rolls and is fully utilized. . . . problems of wildlife management, and hunter access under tribal administration" were arguments cited by William Morrall, chairman of the Arizona Wildlife Federation's Save-the Arizona Strip Committee. His organization supports the Indians "in their struggle to stay in their homes and on their own lands." According to the attorney representing the Unity group, the desires of those living in the joint-use area "have been ignored. The people who live there have gotten along for years. . . . They want to remain where they are."[15]

The tribes want to move tribal members to enable them to define land boundaries; the people who live in the disputed area do not want to move; the Anglos who use the proposed land don't want to lose their use of the territory; the courts have decided that since at least two sets of people are involved the

land should be split down the middle with each side getting exactly half the land. Several alternative sites have been suggested; at present, all are still under consideration. The environmental impact statement should be available in April or June, and then the courts will probably have to finally decide the issue.[16]

Most Indians do not want to lose their cultural identity, nor do they want to become "like Anglos." They do want to pass on to posterity their heritage, their lands, their past and the ability to get along in both worlds--the Anglo world and the Indian world. To function in the Anglo world and still retain the lifestyle of the Indian requires a special skill and understanding of both cultures and a large amount of tolerance. The Indian in the Southwest has a large number of issues with which he must deal on a daily basis. First, the Indian must bilingual to function in both societies, and bicultural to the extent of understanding and being able to cope with cultural variables. The political and economic standards of the Anglo world frequently do not apply in the Indian world; at times the Anglo culture is helpful, but not usually.

The typical Indian family's income is low, land is difficult to farm, most of the best portions of land have been claimed by Anglos. The remoteness and distances between homes and places of employment create another difficulty for many reservation workers. All these things make earning a living more difficult.[17] Recent discovery of mineral deposits, including oil and gas, have given Indians a potential for higher incomes. But these sources of energy are not to be found on all reservations; for residents of reservations where large amounts of energy has been discovered (such as the Navajo), the wealth is potential, not

yet guaranteed.

The economic and political emphases in the Southwest center about two major areas--water and land and mineral rights, and the sovereignty of the reservations (i.e., what laws are valid on the reservation and who may enforce them?) While water and land rights are basically economic issues, they have also become political issues. While people on the reservations are trying to obtain the best conditions they can, governmental agencies are trying to do those things which will cost government the least. A major example of this "political gamesmanship" is the controversial Central Arizona Project (CAP).

The plans for the Central Arizona Project includes building the Granite Reef Aqueduct to carry Colorado River waters from Lake Havasu to Phoenix and Tucson via a route travelling north of Phoenix and curving around the eastern part of Maricopa County. Government officials claim it would cost too much to build over the Salt River, so they have proposed to build a siphon under the river; the aqueduct would then cut across the northern part of the Salt River reservation, angle south toward Tucson. The point at which the siphon would be built under the Salt River is three and one-half miles downstream from where the Orme Dam is scheduled to be built--at the confluence of the Salt and Verde Rivers. The federal government condemned eighty acres of reservation land at the site of the proposed siphon, to avoid the possibility of having to pay a penalty for breaking their contract with the construction firm awarded the contract for building the siphon. Indians filed an injunction against the building of the siphon; when the injunction expired on October 11, 1976, the government had to condemn the land or face the penalty.

Dick Shunick, associate projects manager for the Bureau of Reclamation, said that building the siphon does not "guarantee construction of Orme Dam and Reservoir";[18] the Government had not completed negotiations with the Indians for the dam and reservoir site because the Indians did not want to leave their reservation lands--necessary if the area is to be flooded for the reservoir.

The proposed reservoir would back up and flood 17,000 acres of the 24,000 acre Salt River Indian Community, occupied primarily by Yavapais.[19] The government has offered the Yavapais $33.5 million for the 17,000 acres, not including the 1,500 acres needed for construction of the dam itself. The government has paid the Yavapais of the Salt River Indian Community $87,000 for the 7,800 acres condemned to build the siphon.[20] The reservoir will also cover part of the Ft. McDowell reservation, which is inhabited by Yavapai, Mohave and Apaches. The Bureau of Reclamation has offered Ft. McDowell residents a total of $33.5 million for the sale of nearly 17,000 acred.[21] The Orme Dam site is to be built at the confluence of the Salt and Verde Rivers on neighboring Salt River Pima and Maricopa Indian Communities, at a total proposed cost of $67 million for Indian lands.

But the new Carter Administration has halted the project--at least temporarily. On February 19, Carter stated he didn't want to fund the CAP and Orme Dam project because it is an unjustified expenditure on economic, environmental and safety bases. According to the Arizona Republic:

> Carter will recommend to Congress Tuesday that a Ford administration budget item of $104 million for the CAP in fiscal year 1978 be deleted. The recommendation will go to a review commission comprised of several federal agencies, including the General Accounting Office. . . . The CAP includes the proposed $240 million earthen Orme Dam upstream from metropolitan Phoenix. Bureau of Reclamation officials have admitted that two geological faults are beneath the dam site.

> They are also concerned that the Orme Dam lake might endanger Stewart Mountain Dam, which holds back Saguaro Lake."[22]

The Governor of Arizona and several congressmen have announced they will fight to have funds restored for the project; it has also been suggested the dam might be constructed somewhere else in the state.

Anticipated water allocations from the CAP include:

| | |
|---|---|
| Salt River (Pima-Maricopa) Indian Community | 13,300 acre-feet |
| Ak-Chin (Papago, Pima-Maricopa) Reservation | 59,300 acre-feet |
| Gila River (Pima-Maricopa) Reservation | 176,000 acre-feet |
| Papago Indian Reservation | 8,200 acre-feet |
| Ft. McDowell (Yavapai) Indian Community | 4,300 acre-feet |

Ft. McDowell would receive the water allocation if Orme Dam is built because waters flood their existing farmlands, watered by the Verde River.[23]

Indians have filed against these figures, charging they both need and deserve more water. The Arizona Republic admits:

> These claims go back to 1864, when non-Indian settlers began appropriating water from the Gila River--and denying its use on reservation lands, thus impoverishing the Indians.[24]

This is a basic claim in the lawsuit. The reservation, created in 1859 by Congress, is still populated by Pima and Maricopa Indians. They are requesting enough water to irrigate 250,000 acres of "arable land." The Kent Decree of 1910, to which the U.S. government was a party as trustee for the Indians, settled all claims to water from the Salt and Verde Rivers--none was allocated to the Gila River Indian Community. This is therefore considered to be the "final word" on the Indians' claims to water through the Salt River Project. But in 1905, $50,000 was appropriated for construction of an irrigation system on the reservation. The next year, $250,000 was appropriated for the same project. But in 1907 Congress declared that the Secretary of the Interior could use any part of that money for the Pima

Indians, as payment for the Indians' portion of the construction of the Salt River Project. According to the Phoenix legal firm of Cox and Cox, who filed the suit for the Gila River Community, the $300,000 was paid into the reclamation fund in payment for the Indians' share of the costs of the Salt River Project.

At present the Gila River Indian Communicty receives enough water to irrigate 30,000 acres; they would require an additional 1,880,000 acre-feet of delivered water to irrigate the additional 220,000 acres to which they allege they are entitled. This is based upon 5.4 acre-feet of water per acre per year. If the Indians received all the water they claim they should receive, this would leave 373,000 acre-feet of water for delivery in 1985, the year CAP is expected to begin carrying Colorado River water to Maricopa, Pinal and Pima counties. When CAP begins, it is supposed to deliver 1,560,000 acre-feet of water the first year, with the five Indian tribes to receive 257,000 acre-feet for the first 20 years until the year 2005, when their allotment will drop to approximately 100,000 acre-feet per year. During the first year, municipal and industrial users would receive 270,000 acre-feet (increasing to 500,000 acre-feet per year in 2034). It is not clearly stated how much water would go to on-reservation users. Non-Indian agricultural users would receive 1,034,000 acre-feet. Hearings are scheduled for late February to discuss Municipal and industrial applications, which were originally 2.2 million acre-feet, but have been "narrowed" to 500,000 acre-feet. After these hearings, the Arizona Water Commission will conduct hearings for non-Indian agricultural users--who have requested a total of about 4 million acre-feet.[25]

The geography of the state, difficulty of obtaining water, the growing urban population and developments and the historical

misapplication of Indians' funds all combine to make the CAP-Orme Dam affair very difficult to justify and satisfy with the needs and desires of all parties who are and will be affected. Other sub-issues have not been dealt with satisfactorily, in the judgment of various groups. The flooding of historically important tribal lands, the identity of the land as important to cultures, the geological faults and the ruination of the nesting places of the endangered Bald Eagle are major sub-issues. It is not considered a probability by the Indians involved that they will "win" equitable treatment; the state of Arizona is determined to continue their project and there is talk of considering other sites, but this is still "just talk."

Other land, water and mineral rights questions exist in the Southwest, especially in Arizona. The Salt River Indian Community is pressing for declaration of ground water rights so they may plan for crop increases in the next year; they have spoken to the Scottsdale City Council and claimed the water as their own. Another matter dealing with the Salt River Indian Community is the projected widening of Pima Road, which borders the City of Scottsdale and the Community. The suit filed in July 1976 claims the city illegally acquired right-of-way from Indian property owners when Pima Road was build in the mid-1960s, prior to the contemplated widening project.[26] The suit claims the right-of-way was obtained "under duress and misrepresentation," and alleges the city and the BIA seized land from the plaintiffs to build Pima Road but did not pay compensation for the right-of-way; road construction was halted in April 1974 when the right-of-way controversy arose.[27] Richard Wilkes, attorney for the Indians, said tribal constitution provides for eminent domain but the main question is compensation to Indians for the land use.[28]

Another sticky issue concerns construction work on the reservations by non-Indians. The Navajo officials at Window Rock, Arizona, are trying to make a construction firm--contracted by the state--to adhere to hiring Navajo workers where possible while working on reservation lands. The firm, Neilsons, Inc. of Cortez, Colorado, contracted withtthe BIA two years ago to construct roads, and refused to hire Navajos. The Office of Navajo Labor Relations sent a letter to the BIA requesting they not contract with that firm again; the BIA has agreed. The new contract is to repair a two-mile stretch of Highway 264 between the New Mexico border and St. Michaels.[29]

Since the Navajo are the largest tribe in the U.S., the treatment they receive is significant; for treatment of the Navajo, who exert as much political-economic "clout" as any tribe, indicates how other tribes will be treated.

Social Conditions

The social conditions of Native Americans in the Southwest is strongly affected by stereotypes which have persisted since pioneer days of the Old West. Perhaps the most devastating stereotype is that of the Indian as a "savage"; the Indian has been stereotyped as uncivilized, and mentally, culturally and religously inferior to Anglos. The Indian has continually been denied equal status as a person.[30]

This denial of equality can be observed in the trends of Federal policy toward the Indians over the past several years. The philosophyof assimilation and acculturation included the removal of land and resources; the move to reservations; and the economic suppression which have clearly revealed to the Indian what his "social status" with the Federal government is considered

to be. Not until the Civil Rights Act of 1964 did official governmental policy toward the Indians begin to change.

Today, although the laws have changed the "actuality" is slower in change. The current status of politics and economics still shows discrimination; there is still a struggle to obtain and maintain "equal" status. Early writers wrote that the Indians were savage, uncivilized, arlike, crude, lazy, simple, unreliable and a lot of other derogatory and undesirable things. These negative attitudes toward Indians were perpetuated in movies, television, literature and class textbooks. Numerous examples abound about "drunken Indians," "lazy, dumb" people.[31] These attitudes are sometimes displayed in violent acts toward individuals because "they are Indian." In April 1974, the bodies of three Navajo men were found severely beaten, tortured and burned. The slayings served as a catalyst for bringing the civil rights movement to Farmington; three Anglo teenagers were responsible for the murders, but the entire community seemed to respond. Joe Herrera, executive director of the New Mexico Indian Affairs Commission, charged that:

> The real crux of the problem, it seems, is the matter of racial prejudice as it exists in the hearts and minds of the individual. How does one approach this evil when it thrives in the inner recesses of the mind of an individual? Could there not be a program directed at the attitudes of people?[32]

Mr. Herrera also offered an insight into what cultural studies might do in helping understand that:

> Since race prejudice is a learned behavior--so too can it be unlearned. A true appreciation could be taught to the young--it is perhaps too late in the case of some adults--with an emphasis on the advantages to be obtained by learning from those who are different from ourselves.[33]

Peter MacDonald, Chairman of the Navajo Tribal Council, commented after the Farmington incident that:

> We are treated as strangers in our land and among our own neighbors. We only ask that we, Navajos, be treated like human beings and be given the right and opportunity to live a decent life. Opportunity, respect, and justice must replace the ugly racism that exists between us.[34]

Minority groups might react to prejudice and discrimination in different ways; continued treatment as an inferior might result in a low self-concept or self-image--or it might result in great hostility and violence. Sometimes they might band together to fight a common threat. AIM (American Indian Movement) formed for that very purpose. Adjustment might be especially difficult for an urban Indian, forced to live much of his life in an unpleasant (to him) culture.

The Indian woman can not be expected to become members of the women's liberation group. While the college-educated Indian woman is freer in her feelings and actions, and therefore less bound by her culture and more in tune with other cultures of the world, she is still not "liberated" in the Anglo sense of the word. She will probably run her life more autonomously than most Anglo women, with greater options for her time than most women. The Indian people, as a whole, have been ahead of the Anglos in this manner, for hundreds of years.[35] The current popular interests in ecology, family heritage ("roots") and self-motivation are indigenous to the Indian cultures.

The emphasis in the women's movement generally is not necessarily to obtain a job; but to be on equal bases in consideration <u>for</u> that job, with all other applicants. In the past and less frequently today was not the case for the Indian woman or man, except on the reservation it is not to leave the family and home, but to have the <u>option</u> to do so if desired. This has been the situation with Indian women since the depression era. While the dominant male usually made the money, often it

was easier for the woman to secure employment--in Anglo homes, textile mills, and numerous other places.

Education

Indian youth were included in most educational plans by the early colonists; usually these programs were conducted by missionaries. Education for the very young was common, but Indian education was included in the purposes of Harvard College (1650), William and Mary College (1691), and Dartmouth (1769).[36]

With the establishment of reservations, many treaties with the Indians included provisions for education of school-age children.[37] One administrator of such programs was the BIA; BIA schools have grown from 37 in the 1850s to over 200 today.[38] The philosophy of early BIA schools was assimilation and acculturation; in other words, the aims of Indian education were to make "white men" out of the Indians.[39] Most Federal schools were off-the-reservation industrial schools. Day schools were the second most common type, followed by public schools.

The status of Indian education at the beginning of the twentieth century was bleak. In fact the early 1920s constituted a notorious example of bureaucratic inefficiency and ineffectiveness. Margaret Szasz, in Education and the American Indian, charged that, "the 1920s witnessed the movement for reform and the decade of the 1930s saw the rhetoric transformed into action." The Meriam Report of 1928 recommended "effective action in education to prepare Indians for taking advantage of the non-Indian world." It was Meriam who broke with the concept of forced acculturation and recommended an acculturation policy based upon an understanding of the Indian point of view. A philosophy was advocated which would "develop . . . build on . . . rather than crush out all

that is Indian."[40]

The Johnson-O'Malley Act of 1934, an integral portion of the Indian education program of the 1930s, provided funds to the states to help meet the special educational needs of Indian children in public schools. This act is still in operation today, with modifications.[41] The 1940s were characterized by the philosophy of self-sufficiency. The 1950s by rapid assimilation, and in the 1960s policy was again reversed. The 1960s served as an era of reappraisal and re-evaluation, and a period of action. Services were expanded because more and more funding opportunities were made available through Federal legislation. Among these opportunities were Title I of the Elementary/Secondary Education Act, the Educational Professional Development Act, and the Vocational Education Act.[42]

The philosophy of cultural pluralism emerged in the late 1960s. A quote from Richard Nixon in a pre-election statement reflects this philosophy:

> We must recognize that American society can allow many different cultures to flourish in harmony, and we must provide an opportunity for those Indians wishing to do so to lead useful and prosperous life in an Indian environment.[43]

With this philosophy of cultural pluralism came a policy which encouraged the Indians to retain their tribal identification and culture. This was to be reflected in the educational scene. One of the most important aspects of this new cross-cultural education included language, which received a huge boost with the passage of the Bilingual Education Act in 1967--which amended the Elementary/Secondary Education Act of 1965.[44]

The last 1960s also witnessed the beginning of Indian self-determination in Indian education. Indian education organizations developed; schools were established under tribal or community control; vocal concern with BIA programs were expressed;

participation grew in public schools; and finally, a renewed interest in the study of Indian culture emerged.[45] In 1969 a special Senate Subcommittee was established to investigate the status of Indian education. Senator Edward Kennedy called Indian education "a national tragedy and a national disgrace."[46] Through the hearings, many injustices and inadequacies were revealed and explored. The Kennedy Report stressed the point that the same problems existed as had been reported in the Meriam Report of 1928, yet virtually nothing had been done to correct problems discussed in the 1928 report.[47]

Among the problems found in Indian education were the high drop-out rates; low level of achievement; problems with English, math and social studies; and low self-concept of students. The results were attributed to inadequate facilities and recources; BIA mismanagement of funds; inadequate teacher preparation; unsatisfactory motivation of teachers; language training; and numerous less-frequent inadequacies.[48] The Senate hearings produced a new political awareness within the Indian community, and the philosophy of Indian self-determination grew. Special interest groups evolved, and one group--the National Indian Education Association--stated that "the American Indian people stand firmly behind an effort to attack the problems of Indian education on a national level."[49] They reaffirmed the importance of Indian self-determination by stating, plans are to be made by the Indian people, for the Indian people."[50]

## Current Indian Educational Conditions

From the 1960s to today, the status of Indian education has continued to be closely examined and attacked from all angles. The Kennedy Report of the 1969 Senate subcommittee revealed most

of the problems and helped stimulate solutions. Since 1970 several pieces of Federal legislation have been enacted. Among them are the Indian Education Act of 1972, which improved and modified the Johnson-O'Malley Act; and the Indian Self-Determination Act of 1975.

These additional funding potentials created new educational opportunities for Indian children and adults, as well. Special programs and projects were created. Among these were pre-school programs; handicapped programs; academic or vocational programs; remedial programs; and innovative programs. New areas in adult education were also begun. The additional funding potential allowed for many experiments in Indian self-determination in Indian education. Many of the early successes of the program seem to have occurred in the Southwest.[51]

The cultural awakening and concern with language learning proved workable with curriculum changes toward a bilingual-bicultural education approach. Bilingual education as defined by the Office of Education is:

> the use of two languages, one of which is English, as medium of instruction for the same pupil population in a well organized program. . . . Which includes the study of the history and culture associated with the mother tongue. . . the purpose of which is to develop and maintain a child's self-esteem and legitimate pride in both cultures.[52]

The most successful programs have been developed and are now operating on the Navajo reservation, and have been documented in several Navajo, BIA, U.S. Civil Rights Commission and educational publications.

The current funding potential allows for the planned development of bilingual programs. Among the variety of services and activities included are: development and dissemination of instructional materials; pre-service training of teachers; counselors,

supervisors, and aides; in-service training for teachers and aides; acquisition of necessary teaching materials and equipment; efforts to establish cooperation between home and school; related adult education, particularly for parents of participating children; and bilingual education activities in accredited trade, vocational and technical schools.[53] These programs, although operating, need continued strength and support and money has been made available to institutions of higher education to help implement projects on location, provide fellowships, develop workshops, and provide further training for teachers.

With the rise in interest as well as funding support, colleges and universities have been beset with requests to establish Indian Studies programs, to increase scholarship aid to students, and to consider a major in Indian studies as well. Part of the reason for the rapid spread of such requests has been the increased interest in minority groups. Programs in Black Studies, Chicano Studies, and Indian Education have often been estalished simultaneously.[54]

For higher education, this has been a sudden change; as late as the 1960s, the idea of Indian Studies had not even been a consideration at most institutions. Even in the areas of heavy Indian concentration--such as Arizona--the only school which had expressed an interest until that time was Arizona State University. Founded in 1954, the Indian Education Center at A.S.U. offered courses at both graduate and undergraduate levels.[55]

Moves since 1970 have been rapid, and programs have flourished. According to the 1975 American Association of State Colleges and Universities Report, at least 65 of its 317 member institutions included Indian studies in their curricula:

and 15 offer Indian Studies as a major.[56] Since the 1970s began, many community colleges have also emphasized Indian studies. Navajo Community College is one example. The current status of Indian Education in the Southwest reveals many improvements from the past, but also many challenges for the future. Many problems still exist and need to be resolved now. This current status report reveals many implications for cross-cultural studies in the Southwest. Traditional teacher education programs have not been producing people--Indian or non-Indian--who are equipped to teach minority children effectively. Cross-cultural educational preparation should develop teachers who would deeply respect cultural differences, and who would be trained in cross-cultural curriculum development, community-based education, and effective learning as it relates to minorities.

Cross-cultural studies at the college or university level should help in the understanding and training of social workers, law enforcement officials, and similar posts. It should help those Indian and non-Indians who would work in public and governmental jobs, business or industry, or even the media.

The Indian Self-Determination and Education Assistance Act is the culmination of almost ten years of effort to set new directions in Indian education policies. This act specifically recognizes the right of Indian peoples to direct their own destinies; this has been the essence of changes in the Southwest and Indian education in the past decade--in theory; much work remains to create realities from these opportunities.

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